

REMARKS

Claims 1-18 are currently pending in the application. As indicated above, Claim 17 has been amended.

In the Office Action, the Examiner has rejected Claims 1-3, 7-16, and 18 under 35 U.S.C. § 101 as lacking patentable utility, Claim 17 under 35 U.S.C. § 112, as being indefinite, and Claims 1-18 under 35 U.S.C. §103 (a) as being unpatentable over the *Applicant's Admitted Prior Art* (AAPA) in view of *Molnar et al.* (U.S. 5,691,922) and *Sarkar et al.* (U.S. 6,671,851).

With regard to the rejection of Claims 1-3, 7-16, and 18 under 35 U.S.C. § 101 as lacking patentable utility, the Examiner asserts these claims teach a code signal without structure, and fail to provide a tangible process, machine, manufacture, or composition of matter. Further, the Examiner asserts that the claimed material constitutes an arrangement of data bits to be read or output, and as such, does not constitute patentable subject matter. It is respectfully submitted that the Examiner is incorrect.

Claims 1-3, 7-16, and 18 are each directed a method for encoding an input bit stream of a given length. As such, these claims clearly provide a tangible process and do not merely teach an arrangement of data bits to be read or output. Accordingly, it is respectfully submitted that the Examiner is incorrect in rejecting Claims 1-3, 7-16, and 18 under 35 U.S.C. § 101, and it is respectfully requested that the rejection be withdrawn.

With regard to the rejection of Claim 17, under 35 U.S.C. § 112, as being indefinite, as indicated above, Claim 17 has been amended to read "The apparatus method of claim 4". Accordingly, it is respectfully requested that the rejection be withdrawn.

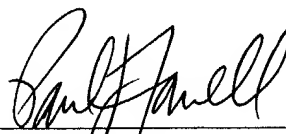
As indicated above, the Examiner has rejected Claims 1-18 under 35 U.S.C. §103 (a) as being unpatentable over the *AAPA* in view of *Molnar* and *Sarkar*. However, each of independent Claims 1, 4, and 7 recite repeating the sequence of code symbols  $t$  times ( $t = \left\lfloor \frac{N}{r} \right\rfloor + 1$ ). The Examiner cites the *AAPA* (page 4, line 16) as teaching this recitation. It is respectfully submitted that the Examiner is incorrect.

While this section of the *AAPA* does state that symbols are repeated 31 times, it does not recite that the coded symbols are repeated  $t$  times, where  $t = \left\lfloor \frac{N}{r} \right\rfloor + 1$ . Further, is respectfully submitted that this deficiency is not cured by either *Molnar* or *Sarkar*. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting independent Claims 1, 4, and 7 under 35 U.S.C. §103 (a) as being unpatentable over the *AAPA* in view of *Molnar* and *Sarkar*, and it is respectfully requested that the rejection be withdrawn.

Without conceding the patentability per se of dependent Claims 3, 5-6, and 8-15, they are likewise believed to be allowable by virtue of their dependence on Claims 1, 4, and 7, respectively. Accordingly, reconsideration and withdrawal of the rejection of dependent Claims 3, 5-6, and 8-15 is respectfully requested.

Accordingly, it is respectfully submitted that the present application is in condition for allowance. Should the Examiner have any questions, it is respectfully requested that the undersigned attorney be contacted at the earliest convenience to discuss the present application. Early and favorable action is earnestly solicited.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Paul J. Farrell", is written over a horizontal line.

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